INTERVIEW SUMMARY

Applicant's Representative thanks Examiner Larry R. Helms for the opportunity to interview this application by telephone on March 3, 2003. Issues relating to the rejection of the claims under 35 U.S.C. § 112 were discussed during the interview, as were proposed amendments to the claims. Applicant has amended the claims in accordance with the Examiner's suggestions.

REMARKS

Reconsideration and withdrawal of the rejections of the claims, in view of the remarks presented herein, is respectfully requested. Claims 1 and 5 are currently amended. Claims 40 and 41 are new. The pending claims are claims 1-2, 4-6 and 40-41. The amendments to the claims do not limit the scope of equivalents to which any claim element is entitled. The amendments to the claims are fully supported by the specification as originally filed, and no new subject matter has been added.

Support for the amendment to claim 1 is found in the specification in Table 1 at page 21, Figure 4D and claim 2 as originally filed.

Support for the amendment to claim 5 is found in the specification in Table 1 and Figure 4D.

Support for newly added claim 40 is found in the specification at page 11, lines 23-24.

Support for newly added claim 41 is found in claim 1 as originally filed, Table 1 at page 21 and Figure 4D.

The 35 U.S.C. § 112 Rejection of the Claims

The Written Description Rejection of Claims 1-2 and 4-6

The Examiner rejected claims 1-2 and 4-6 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed, had possession of the claimed invention (i.e., written description rejection). As this rejection may be maintained with respect to the pending claims, it is respectfully traversed.

Claim 1 has been amended as suggested by the Examiner. Claim 1, as amended, is directed to a fibronectin type III (Fn3) polypeptide monobody comprising at least two Fn3 β-strand domain sequences with a loop region sequence linked between each Fn3 β-strand domain sequence, wherein at least one monobody loop region sequence varies as compared to the wild-type loop region sequence by deletion of two to twelve amino acids in the loop region sequence, insertion of at least two to 25 amino acids, or replacement of at least two amino acids in the loop region sequence, and wherein the polypeptide monobody loop region binds to a specific binding partner (SBP) to form a polypeptide:SBP complex. Thus, the claim has been amended to clarify that at the sequence of at least one loop region of the claimed monobody can have a deletion of two to twelve amino acid residues as compared to a corresponding wild-type loop region sequence, and that it is the loop region of the monobody that binds to a specific binding partner to form a complex.

The Enablement Rejection of Claims 1-2 and 4-6

The Examiner rejected claims 1-2 and 4-6 under 35 U.S.C. § 112, first paragraph, as not being enabled commensurate in scope with the specification. In particular, the Examiner alleges that the specification does not reasonably provide enablement for a monobody with deletions of at least two amino acids in the loop (page 4 of the Office Action). Claims 1 has been amended; insofar as this rejection is applied to the pending claims, it is respectfully traversed.

The Examiner is respectfully requested that amended claim 1, upon which claims 2 and 4-6 depend, is directed to a fibronectin type III polypeptide monobody that can have, *inter alia*, a deletion of two to twelve amino acids in the loop region sequence as compared to a wild-type loop region sequence. The present specification discloses a number of fibronectin type III (Fn3) polypeptide monobodies having deletions in a loop region as compared to a wild-type Fn3. Figure 4D and Table 1 (at page 21 of the present specification) disclose that Fn3 polypeptide monobodies having the range of deleted amino acid residues as recited in the amended claims. Given that the Examiner concedes that the specification enables a monobody comprising at least two Fn3 beta strands with a loop linked between them, wherein the monobody loop region sequence varies from the wild type by insertion of 3 to 25 amino acids or replacement of at least

two amino acids, it is respectfully submitted that the present specification provides sufficient guidance to the art worker to prepare a Fn3 polypeptide monobody comprising at least two Fn3 β-strand domain sequences with a loop region sequence linked between each Fn3 β-strand domain sequence, wherein at least one monobody loop region sequence varies as compared to the wild-type loop region sequence by deletion of two to twelve amino acids in the loop region sequence, insertion of at least two to 25 amino acids, or replacement of at least two amino acids in the loop region sequence, and wherein the polypeptide monobody loop region binds to a specific binding partner (SBP) to form a polypeptide:SBP complex.

Accordingly, the Examiner is respectfully requested to find the pending claims to be in compliance with 35 U.S.C. §112, first paragraph. Applicant, therefore, requests that the rejections under 35 U.S.C. § 112 be withdrawn.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6961) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SHOHEI KOIDE

By their Representatives,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: ~~Box RCE~~, Commissioner of Patents, Washington, D.C. 20231, on this 11th day of April, 2003.

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